

**PROVEST, LLC**  
 P.O. Box 1180  
 Bay Shore, New York 11706  
 (631) 666-6168

**SHEPS LAW GROUP**  
 35 Pinelawn Drive  
 Melville, NY 11747

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

*7009*  
**CASE # 07 CV 11177**

**THE PHOENIX INSURANCE COMPANY A/S/O VISUAL  
 GRAPHIC SYSTEMS, INC.,**

Plaintiff,  
 Against

**AFFIDAVIT  
 OF SERVICE**

**DHL EXPRESS (USA), INC., ET AL**

Defendants,

STATE OF NY COUNTY OF SUFFOLK

*ORIGINAL*

Ben Cohen being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the State of NY.

That on Dec 18 2007 3:50PM at 40 Wall Street, 16<sup>th</sup> Floor, New York, NY, 10005, deponent served the within SUMMONS & COMPLAINT bearing case # 07 CV 11177, filed 12/12/2007 on **STAMACK CONSTRUCTION, LLC**, defendant therein named,

**CORPORATION**

X

A corporation, by delivering thereat a true copy of each to **MAGDALENA ROSARIO, ACCOUNTS PAYABLE**, personally; deponent knew said so served to be the corporation described as the named defendant and knew said individual to be the AUTHORIZED AGENT thereof.

**DESCRIPTION**

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follow:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Aprx)</u>	<u>Height (Aprx)</u>	<u>Weight (Aprx)</u>
F	LT BROWN	BROWN	32	5'6	130

USE IN NYC  
 CIVIL CT.

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es)

**MILITARY  
 SERVICE**

X

I asked the person spoken to whether the defendant was in active military service of the United States or of the State of NY in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief I aver that the defendant is not in the military service of NY or of the United States as that term is defined in either the State or Federal statutes.

**SWORN TO BEFORE ME ON** *12/26/07*

*Debra Ali*

Notary Public, State of New York

No. 4956451

Qualified in Suffolk County

Expires September 25, 18*12/07*

*R. C.*  
 LICENSE # 1009104  
 FILE # 7009  
 CASE ID # 756285

THE PHOENIX INSURANCE COMPANY A/S/O VISUAL GRAPHIC SYSTEMS, INC.,

against

Plaintiff(s)

INDEX# 07 CV 11177

Date filed 12/12/2007

DHL EXPRESS (USA), INC., ET AL,

Defendant(s)

ORIGINAL

STATE OF NEW YORK

COUNTY OF ALBANY

756285

## SECRETARY OF STATE - AFFIDAVIT OF SERVICE

PAUL SANTSPREE JR. being duly sworn, deposes and says that deponent is not a party to this action, is over the age of 18 years and has a principal place of business in the County of Albany, State of New York. That on 12/21/2007 at 4:25 PM, at the office of the Secretary of State, of the State of New York in the City of Albany, New York, he served a true copy of a

### SUMMONS IN A CIVIL CASE, COMPLAINT, and RULE 7.1 STATEMENT

on **STAMACK CONSTRUCTION, LLC, Defendant** in this action.

By delivering to and leaving with **CHAD MATICE**, authorized agent in the office of the Secretary of the State, State of New York, personally at the office of the Secretary of State, of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of \$40.00. That said service was made pursuant to Section 303 LLC

Bearing Index Number and Filing Date endorsed thereon.

[ ] Deponent additionally served upon the above named defendant one (1) true copy of the RPAPL SEC. 1303 Homeowner's Foreclosure Notice which was printed in bold, 14 point font size and printed on colored paper which is a color other than said pleading

[ ] an additional copy of the summons was mailed to the defendant pursuant to CPLR 3215

**Description** Description of the Recipient is as follows:

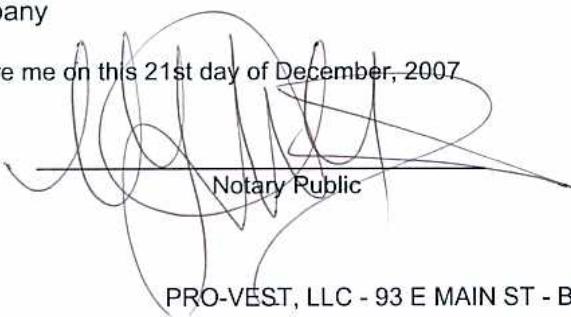
A Male with White skin, Black hair, who is approximately 25 years of age and has an approximate height of 6' 1" and approximate weight of 190 pounds.

Other identifying features are as follows: Glasses.

  
PAUL SANTSPREE JR.  
Process Server

State of New York  
County of Albany

Sworn to before me on this 21st day of December, 2007

  
Notary Public

Michelle M. Santspree  
Notary Public, State of New York  
NO. 01SA5047611  
Qualified in Albany County  
Commission Expires August 7, 2009

Barbara M. Santspree  
Notary Public, State of New York  
No. 01SA6071764  
Qualified in Albany County  
Commission Expires March 25, 2010

THE PHOENIX INSURANCE COMPANY A/S/O VISUAL GRAPHIC SYSTEMS, INC.,

against

Plaintiff(s)

INDEX# 07 CV 11177

Date filed 12/12/2007

DHL EXPRESS (USA), INC., ET AL,

Defendant(s)

ORIGINAL

STATE OF NEW YORK

COUNTY OF ALBANY

756285

**SECRETARY OF STATE - AFFIDAVIT OF SERVICE**

PAUL SANTSPREE JR. being duly sworn, deposes and says that deponent is not a party to this action, is over the age of 18 years and has a principal place of business in the County of Albany, State of New York. That on **12/21/2007 at 4:25 PM**, at the office of the Secretary of State, of the State of New York in the City of Albany, New York, he served a true copy of a

**SUMMONS IN A CIVIL CASE, COMPLAINT, and RULE 7.1 STATEMENT**on **CON-TECH INC., Defendant** in this action.

By delivering to and leaving with **CHAD MATICE**, authorized agent in the office of the Secretary of the State, State of New York, personally at the office of the Secretary of State, of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of \$40.00. That said service was made pursuant to Section 306 BCL

Bearing Index Number and Filing Date endorsed thereon.

Deponent additionally served upon the above named defendant one (1) true copy of the RPAPL SEC. 1303 Homeowner's Foreclosure Notice which was printed in bold, 14 point font size and printed on colored paper which is a color other than said pleading

an additional copy of the summons was mailed to the defendant pursuant to CPLR 3215

**Description** Description of the Recipient is as follows:

A Male with White skin, Black hair, who is approximately 25 years of age and has an approximate height of 6' 1" and approximate weight of 190 pounds.

Other identifying features are as follows: Glasses.



PAUL SANTSPREE JR.  
Process Server

State of New York  
County of Albany

Sworn to before me on this 21st day of December, 2007



Notary Public

Michelle M. Santspree  
Notary Public, State of New York  
NO. 01SA5047611  
Qualified in Albany County  
Commission Expires August 7, 2009

Barbara M. Santspree  
Notary Public, State of New York  
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PROVEST, LLC  
P.O. Box 1180  
Bay Shore, New York 11706  
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SHEPS LAW GROUP  
35 Pinelawn Drive  
Melville, NY 11747

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CASE #: 07 CV 11177

THE PHOENIX INSURANCE COMPANY A/S/O VISUAL  
GRAPHIC SYSTEMS, INC.,

ORIGINAL

Plaintiff,

Against

**AFFIDAVIT  
OF NON-SERVICE**

DHL EXPRESS (USA), INC., ET AL

Defendants,

STATE OF NY COUNTY OF SUFFOLK

Ben Cohen being duly sworn, deposes and says that deponent is not a party to this action, is over 18 years of age and resides in the State of NY.

That on Jan 2 2008 at 1:00PM, I went to the address at 1035 63rd Street, 2nd Floor, Brooklyn, NY, 11219. The defendant, Con-Tech Inc. does not reside at this address as per Mr. Foo, Current Occupant.

SWORN TO BEFORE ME ON 1-3-2008



NANCY MANZELLA  
NOTARY PUBLIC, STATE OF NEW YORK  
No. NY1009104  
Qualified in Suffolk County 10  
Commission Expires 11/25/20



LICENSE # 1009104  
FILE # 7009  
CASE ID # 756285

**PROVEST, LLC**  
 P.O. Box 1180  
 Bay Shore, New York 11706  
 (631) 666-6168

**SHEPS LAW GROUP**  
 35 Pinelawn Drive  
 Melville, NY 11747

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

INDEX # 07-11177

**THE PHOENIX INSURANCE COMPANY A/S/O VISUAL  
 GRAPHIC SYSTEMS, INC.,**

Plaintiff,

Against

**AFFIDAVIT  
 OF SERVICE**

**DHL EXPRESS (USA), INC., ET AL**

Defendants,

STATE OF FL COUNTY OF BROWARD

ORIGINAL

Charles Zirkle being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the State of FL.

That on Dec 20 2007 at 2:24PM at 1200 S. PINE ISLAND RD., PLANTATION, FL, 33324, deponent served the within SUMMONS & COMPLAINT bearing index # 07-11177, filed 12/12/2007 on **DHL EXPRESS (USA), INC.**, defendant therein named,

**CORPORATION**

X

A corporation, by delivering thereat a true copy of each to Donna Moch, authorized agent of CT CORPORATION SYSTEM, registered agent for **DHL EXPRESS (USA), INC.**

**DESCRIPTION**

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follow:

Sex	Skin Color	Hair Color	Age (Aprx)	Height (Aprx)	Weight (Aprx)
F	White	Black	44 yrs	5'2"	120 lbs

USE IN NYC  
 CIVIL CT.

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es)

**MILITARY  
 SERVICE**

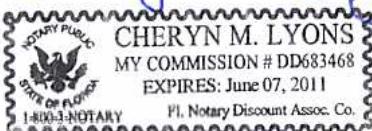
X

I asked the person spoken to whether the defendant was in active military service of the United States or of the State of FL in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief I aver that the defendant is not in the military service of FL or of the United States as that term is defined in either the State or Federal statutes.

**SWORN TO BEFORE ME ON**

December 26, 2007  
 Cheryn M. Lyons

*Charles Zirkle*  
 LICENSE # 110  
 FILE # 7009  
 CASE ID # 756285



COUNTY OF SOUTHERN DISTRICT OF NEW YORK  
COURT # 93109

THE PHOENIX INSURANCE COMPANY A/S/O VISUAL GRAPHIC SYSTEMS, INC.,

against

Plaintiff(s)

INDEX# 07 CV 11177

Date filed 12/12/2007

DHL EXPRESS (USA), INC., ET AL,

Defendant(s)

ORIGINAL

STATE OF NEW YORK

COUNTY OF ALBANY

756285

**SECRETARY OF STATE - AFFIDAVIT OF SERVICE**

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Bearing Index Number and Filing Date endorsed thereon.

[ ] Deponent additionally served upon the above named defendant one (1) true copy of the RPAPL SEC. 1303 Homeowner's Foreclosure Notice which was printed in bold, 14 point font size and printed on colored paper which is a color other than said pleading

[ ] an additional copy of the summons was mailed to the defendant pursuant to CPLR 3215

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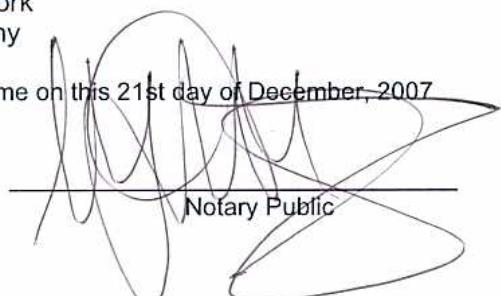
Other identifying features are as follows: Glasses.



PAUL SANTSREE JR.  
Process Server

State of New York  
County of Albany

Sworn to before me on this 21st day of December, 2007



Notary Public

Michelle M. Santspree  
Notary Public, State of New York  
NO. 01SA5047611  
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Commission Expires August 7, 2009

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Notary Public, State of New York  
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